

RESOLUTION NO. R-2005- 2287

RESOLUTION TO ABANDON THE SPECIAL EXCEPTION  
GRANTED BY RESOLUTION R-1979-351  
(CONTROL NUMBER 1979-045)  
APPROVING ZONING APPLICATION SE1979-045  
(DONALD SACCO)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider petitions related to zoning; and

WHEREAS, Zoning Application 1979-045 was presented to the Board of County Commissioners at a public hearing on February 22, 1979; and

WHEREAS, Resolution R-1979-351 approving this application was adopted by the Board of County Commissioners on March 13, 1979, and

WHEREAS, Resolution R-1979-351 granted approval of the request for an Official Zoning Map Amendment (Rezoning) from the Agricultural (AG) Zoning District to the General Commercial (CG) Zoning District; with a further Special Exception to allow a large scale repair, heavy equipment repair and service facilities; and

WHEREAS, the Zoning Director has determined the request to administratively abandon the special exception granted under R-1979-351, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), meets the requirements contained therein; and

WHEREAS, the Zoning Director has administratively abandoned the special exception granted under R-1979-351, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067) and

WHEREAS, the Zoning Director presented the abandonment of the special exception granted under Resolution R-1979-351 to the Board of County Commissioners for ratification on November 17, 2005; and

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County Unified Land Development Code requires that action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the Special Exception granted under Resolution R-1979-351, approving Zoning Application 1979-045, the petition of Donald Sacco, by Kenneth V. Scott, agent, for a Special Exception to allow a large scale repair, heavy equipment repair and service facilities is hereby revoked.

Commissioner MARCUS moved for the approval of the Resolution.

The motion was seconded by Commissioner AARONSON and, upon being put to a vote, the vote was as follows:

Tony Masilotti, Chair	-	<b>AYE</b>
Addie L. Greene, Vice Chairperson	-	<b>AYE</b>
Karen T. Marcus	-	<b>AYE</b>
Jeff Koons	-	<b>AYE</b>
Warren H. Newell	-	<b>AYE</b>
Mary McCarty	-	<b>AYE</b>
Burt Aaronson	-	<b>AYE</b>

The Chair thereupon declared that the resolution was duly passed and adopted on November 17, 2005.

Filed with the Clerk of the Board of County Commissioners on 8TH day of DECEMBER 2005.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS  
SHARON R BOCK,  
CLERK & COMPTROLLER

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

On the Southeast 1/4 of Tract 117, Section 18, Township 46 South, Range 42 East, as recorded in Palm Beach Farms Company Plat No. 1, Plat Book 2, pages 26-28, more particularly described as follows:

Commence at the Northeast corner of said Tract 117; thence Southerly, along the East line of Tract 117, a distance of 363.9 feet to the Point of Beginning; thence continue along the last mentioned course, a distance of 363.9 feet; thence Westerly 162.8 feet; thence Northerly 362.7 feet; thence Easterly 162.8 feet to the Point of Beginning, less the right- of-way of Atlantic Avenue, along the South line. Said property located on the north side of Delray West Road (S.R. 806), approximately .2 mile east of S.R. #7.